



PATENT APPLICATION DOCKET NO. CRT044US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION UNDER GRANTED PETITION TO MAKE SPECIAL

GROUP ART UNIT: 3621

EXAMINER: Backer, Firmin

INVENTOR(S): Triola, C.R.

SERIAL NO.: 09/833,390

CONF. NO.: 3769

FILED: April 11, 2001

SUBJECT: Method and Apparatus for Processing Escrow Transactions

RESPONSE/REPLY TO OFFICE ACTION 3 in RCE 1

TO: COMMISSIONER FOR PATENTS
POB 1450
Alexandria VA 22313

In accordance with the notice "REVISED AMENDMENT PRACTICE: 37 CFR 1.121 CHANGED, effective July 30, 2003, the MPEP and 37 CFR, following are:

- (A) INTRODUCTORY COMMENTS,
- (B) AMENDMENTS TO THE SPECIFICATION,
- (C) AMENDMENTS TO THE CLAIMS,
- (D) REMARKS, including DRAWING AMENDMENTS, if any.

1 (A) INTRODUCTORY COMMENTS

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3 This paper is filed in reply to the Office Action issued on 07/26/2004 with respect to the above-
4 referenced application.

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6 Preliminary matters

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8 (1) Applicant requests again return of a signed off copy of the PTO-1449, first submitted via first
9 class mail on May 1, 2002 (COPY attached), namely, prior to the first issuance of any Office
10 Actions against the present application (May 2, 2002). The initialed and signed copy should be
11 faxed to the attention of the undersigned at (425) 640-0525, or mailed to the correspondence
12 address of record. If not, applicant respectfully requests an explanation for the refusal to do so.

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14 (2) This Response is to a third Office Action issued against the first RCE by the applicant.
15 MPEP 707.02 applies:

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17 "The supervisory patent examiners are expected to personally check on the pendency of
18 every application which is up for the third or subsequent official action *with a view to*
19 *finally concluding its prosecution.*" (Emphasis added.)

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21 Applicant hereby respectfully requests a careful reconsideration by the Examiner and the
22 Supervisory Patent Examiner based on the following Remarks in answer to all rejections
23 enumerated in the current Office Action, along with the extensive evidence, educational
24 materials, and remarks previously submitted by the applicant throughout this prosecution,
25 incorporated by reference hereby, for reconsideration and allowance. Thank you.

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27 (3) For the record, it should be noted that applicant ordered (order number 734670) a copy
28 of the cited 345 page reference (Graff Pub. No.: US2002/0046144 A1) electronically on
29 August 3, 2004; that the USPTO was unable to deliver the reference electronically; that the
30 regular postal service delivery of Graff included only a mis-collated copy of the first 133 pages
31 on about Sept. 7, 2004; that the undersigned was required by the PTO to return the documents

1 for correction; and that the full reference was received only on October 1, 2004 (order number
2 123244).
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